

Exhibit 2

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Page 1

CIRCUIT COURT OF THE STATE OF MARYLAND
COUNTY OF BALTIMORE

JEFF ALBAN, et al.,)
)
 Plaintiffs,)
)County Case No.
 vs.)03-C-06-010932
)OT
 EXXONMOBIL CORPORATION,)
 et al.,)
)
 Defendants.)

January 31, 2008

CONFIDENTIAL Videotaped
Deposition of KENNETH RUDO, Ph.D., held
in the law offices of Venable, LLP, 210
Allegheny Avenue, Towson, Maryland
21285-517, beginning at approximately
9:47 a.m., before Ann V. Kaufmann, a
Registered Professional Reporter,
Certified Realtime Reporter, Approved
Reporter of the U.S. District Court, and
a Notary Public.

GOLKOW TECHNOLOGIES, INC.
One Liberty Place, 51st Floor
Philadelphia, Pennsylvania 19103
877.370.3377

Confidential - Kenneth Rudo, Ph.D.

Page 2

1 APPEARANCES:

2 SNYDER, WELTCHEK & SNYDER
ROBERT J. WELTCHEK, ESQUIRE
3 rweltchek@litigationteam.com
1829 Reisterstown Road, Suite 100
4 Baltimore, MD 21208
(410) 653-3700

5 Counsel for Plaintiffs
6 EXXON MOBIL CORPORATION
WILLIAM J. STACK, ESQUIRE
7 william.j.stack@verizon.net
P.O. Box 2180
8 Houston, TX 77252
(713) 656-2583
9 Counsel for Exxon Mobil Corporation

10 PRESENT:

11 SCOTT PICKERING, Videographer
Golkow Technologies, Inc.

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Confidential - Kenneth Rudo, Ph.D.

Page 3

1 EXAMINATION INDEX

2

KENNETH RUDO, Ph.D.

3

BY MR. STACK10

4

5

EXHIBIT INDEX

6

MARKED

Rudo

7

1 Three-page invoice of 45
Kenneth Rudo

8

9 2 Preliminary Expert Report 55
and CV of Kenneth M. Rudo
10 Ph.D., with attachments

10

11 3 Expert report 150
of Ira L. Whitman, Ph.D.
12 June 2007

12

13 4 Chart 175

14 5 Article entitled "The Risk 207
of MTBE Relative to Other
15 VOCs in Public Drinking
Water in California," 2004

16

6 Document entitled "A 219
Probabilistic Assessment of
Household Exposures to MTBE
from Drinking Water," 2000

17

18 7 Article entitled "Overview 220
of MTBE and TBA Exposures
and Human Health Risk in
20 the U.S.," 2002

21

8 Article entitled "Dermal, 242
Oral, and Inhalation
Pharmacokinetics of Methyl
22 Tertiary Butyl Ether (MTBE)
23 in Human Volunteers," 2003

24

Confidential - Kenneth Rudo, Ph.D.

Page 9

1 THE VIDEOGRAPHER: We're now
2 on the record. My name is Scott
3 Pickering. I'm a videographer from
4 Golkow Technologies, Inc., One Liberty
5 Place, 1650 Market Street, 51st floor,
6 Philadelphia, Pennsylvania. Today's
7 date, January 31, the year 2008, and the
8 time is now 9:47 a.m.

9 This video deposition is
10 being held at Venable, LLP, at 210
11 Allegheny Avenue, Towson, Maryland, in
12 the matter of Jeff Alban, et al., versus
13 Exxon Mobil Corporation, et al., for the
14 Circuit Court of the state of Maryland,
15 County of Baltimore. The deponent is
16 Kenneth Rudo.

17 Will counsel please identify
18 themselves for the record.

19 MR. WELTCHEK: Bob Weltchek
20 here on behalf of the plaintiffs and on
21 behalf of Dr. Rudo.

22 MR. STACK: Bill Stack on
23 behalf of Exxon Mobil.

24 THE VIDEOGRAPHER: The court

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Page 10

1 reporter today is Ann Kaufmann, and she
2 will now swear in the witness.

3 -----

4 ...KENNETH RUDO, Ph.D., 5505
5 Six Forks Road, Raleigh, NC 27609,
6 having been duly sworn, was examined and
7 testified as follows:

8 EXAMINATION

9 BY MR. STACK:

10 Q. Please state your full name
11 for the record.

12 A. Kenneth Mark Rudo.

13 Q. And what is your current
14 business address?

15 A. Oh, I have a lot of trouble
16 memorizing the Zip code, so if you'll
17 forgive the Zip part of it. But it's --
18 I believe it's 5505 Six Forks Road,
19 Raleigh, North Carolina, and it would be
20 the North Carolina Division of Public
21 Health.

22 Q. And your employer is the
23 State of North Carolina?

24 A. Yes, sir.

Confidential - Kenneth Rudo, Ph.D.

Page 159

1 A. Correct.

2 Q. And did you ever attempt to
3 quantify that risk?

4 A. Once again, I haven't been
5 tasked to do it. That would be up to
6 the law firm.

7 Q. And with respect to
8 exposure to MTBE, do you know if any of
9 the plaintiffs have a statistically
10 significant increase in their likelihood
11 of contracting cancer as a result of
12 exposure to MTBE in this case?

13 A. Yes.

14 Q. And what is your opinion?

15 A. Well, it's essentially what
16 I say in here. I mean qualitatively, to
17 begin with, you know, as a toxicologist
18 working with a mutagenic carcinogen, you
19 know, at any level, there is no
20 threshold for safety for a mutagenic
21 carcinogen, so any level poses an
22 increased risk. So anybody that has
23 it in their -- has MTBE is at an
24 increased risk. And that's pretty much,

Confidential - Kenneth Rudo, Ph.D.

Page 160

1 you know, as far as -- you know, that's
2 basically what I'm stating here.

3 Q. And in the course of
4 developing that qualitative opinion, you
5 base that on the fact that the exposure
6 to MTBE, in your opinion, that's
7 appropriate is zero; am I correct?

8 A. Yes. Well, for -- in terms
9 of saying what is a safe level, zero
10 would be it.

11 And you would find, I think,
12 also when EPA sets their maximum
13 contaminant levels for public water
14 systems, they have what's called a
15 maximum contaminant level goal, MCLG,
16 and they set that as zero for
17 carcinogens because that's the -- we're
18 basically working off the same piece of
19 paper here in that a mutagenic
20 carcinogen, in theory, has no safe
21 level.

22 Q. Now, with regard to
23 MCLGs -- and you anticipated my next
24 question -- does the EPA designate MTBE